1950.

File No. B. Local Bdy

Legal Deptt. 50

K

B. BRANCH

Subject:— A Bill to amend the Bombay Local Boards Act 1923

L.A. Bill No XXXII of 1950

Bom. Act No. XXXII of 1950.

P-14
E

File No. B. Local Boards /50

Gen. 134 e.

805-B

Legal Amendments.

A consolidated draft Bill in which the amendments proposed in this file and the linked file No.S. 130/99/60, have been incorporated, is sent herewith.

2. Section 22(1) does not require any amendment as suggested in para .1 of p. 25 ante.

3. The subject matter of the Bill falls under entry 5 in List II in the Seventh Schedule of the Constitution. The Bill does not require any sanction or recommendation. After it is passed the Bill need not be reserved for the consideration of the President with reference to article 254(2).

Sd/.....22/6.

Additional Secretary to Government.

W.M. to L.S.G. and F.E.D., No. 8358, dated the 22nd June 1960.

DT 4/7

STB.

7/6.

Sd.

Immediate.

No. 1850- L.
Legal Department,
Council Hall, Poona, 24th October 195 0

From

Shri J.R. Bhavanthan,
Additional Secretary to the Government of Bombay
Legal Department.

To

The Secretary to the Governor of Bombay.

Subject:- The Bombay Local Boards(Amendment) Bill, 1950.

Sir,

With reference to article 200 of the Constitution of India, I am directed to forward herewith for the assent of His Excellency the Governor of the authentic copy of the Bombay Local Boards (Amendment) Bill, 1950, which was read for the third time and passed at the meetings of the Bombay Legislative Assembly and the Bombay Legislative Council held on the 26th September 1950 and the 10th October 1950, respectively.

2. The subject-matter of the Bill falls under entry 5 in List II in the Seventh Schedule to the Constitution of India. As the Bill does not relate to any matter enumerated in the Concurrent Legislative List, it is not necessary to reserve the Bill for the consideration of the President with reference to article 254(2) of the Constitution of India.

3. The date on which His Excellency the Governor's assent is given may kindly be entered in the endorsement.

4. I also forward herewith one copy of each of the

	Item Nos. 1, 2 and 4 and two copies of item
1. Bill as introduced in the Bombay Legislative Assembly with the Statement of Objects and Reasons.	

2.	Bill as read for the third time and passed by the Bombay Legislative Assembly and as introduced in the Bombay Legislative Council.	No.3 of the papers noted in the margin.
3.	Bill as read for the third time and passed by the Bombay Legislative Council.	The Bill
4.	Extracts from the proceedings of the Bombay Legislative Assembly dated the 26th September 1950, and of the Bombay Legislative Council dated the 10th October 1950.	was not referred to a Select Committee.

Yours faithfully,

Sd/...24/10.

Additional Secretary to Government.

Through the Secretary to the Government of Bombay

Local Self Government and Public Health Department.

DTR.

7/6.

5a.

No. G.S.- 3247.

From

The Secretary to the Governor of Bombay

The Additional Secretary to Government,
Legal Department.

Government House,
Bombay, October 27/31, 1950.

Subject: The Bombay Local Boards(Amendment)Bill, 1950.

Sir,

With reference to your letter No. 180-L, dated October 24, 1950 I am directed to return herewith the authentic copy of the Bombay Local Boards(Amendment) Bill, 1950, with His Excellency the Governor's assent signified thereon.

Yours faithfully,

Sd/.....
Secretary to the Governor of Bombay.

DTR.
7/6.
5a.

ACTS. Publication of the Bombay Local Boards (Amendment) Act, 1950.

GOVERNMENT OF BOMBAY.

Legal Department.

Resolution No. 243/1.

Council Hall, Poona 2nd November 1950 .

Letter to the Secretary to the Governor, No. 150-L, dated the 24th October 1 950.

Letter from the Secretary to the Governor, No.G-S. 3247, dated the 27th /31st October 1950.

"With reference to your letter No. 150-L, dated October 24, 1950, I am directed to return herewith the authentic copy of the Bombay Local Boards (Amendment) Bill, 1950, with His Excellency the Governor's assent signified thereon."

RESOLUTION:- The law should be published as Bombay Act No. XXXII of 1950, in the Bombay Government Gazette dated the 3rd November 1950.

2. The Act should be translated into Marathi, Gujarati, Kannada and Hindi(in Devanagari script) and the translations should be published in the Bombay Government Gazette.

3. A copy of the Act should be forwarded to the Local Self Government and Public Health Department.

By order of the Governor of Bombay,

K.J.PATHARE,

for Additional Secretary to Government.

To,

The Manager, Government Central Press, Bombay(with a copy of the Act and with a request that 30 Gazette copies of the Act may be forwarded to the Legal Department).

BYR. 7/6. 50.

125

L. A. BILL No. XXXII OF 1950.

A Bill to amend the Bombay Local Boards Act, 1923.

(As read for the third time and passed by the Legislative Assembly on the 26th September 1950.)

Bom. VI of 1923.

WHEREAS it is expedient to amend the Bombay Local Boards Act, 1923, for the purposes hereinafter appearing; It is hereby enacted as follows :—

Short title.

1. This Act may be called the Bombay Local Boards (Amendment) Act, 1950.

Bom. VI of 1923.

Amendment of section 26 of Bom. VI of 1923.

2. In section 26 of the Bombay Local Boards Act, 1923, hereinafter referred to as the said Act, for sub-section (*3*) the following shall be substituted, namely :—

"(*3*) The provisions of section 27A shall be applicable so far as may be to the calling of a meeting and the procedure to be followed at such meeting for the election of a president under sub-section (*2*)."

Amendment of section 27 of Bom. VI of 1923.

3. In section 27 of the said Act, the two provisos shall be deleted.

Insertion of new section 27A in Bom. VI of 1923.

4. After section 27 of the said Act, the following section shall be inserted, namely :—

Procedure for election of president and vice-president.

"27A. (*1*) When a new local board is constituted after a general election or otherwise, the Collector shall call a meeting for the election of a new president and vice-president. Such meeting shall be called within twenty-five days from

the date on which the names of the members of the new local board are published in the *Official Gazette* under section 21, but shall not be held on a date prior to the date on which the term of office of the retiring members prescribed or extended, as the case may be, under section 28 expires, or prior to the expiry of the period for which the local board has been superseded under section 129 or prior to the date specified for the dissolution of the local board under sub-section (*1*) of section 131A.

(*2*) The meeting called under sub-section (*1*) shall be presided over by the Collector or such officer as the Collector may by order in writing appoint in this behalf. The Collector or such officer shall, when presiding over such meeting, have the same powers as the president of a local board when presiding over a meeting of the local board has, but shall not have the right to vote :

Provided that notwithstanding anything contained in section 35, the Collector or the officer presiding over such meeting may for reasons which in his opinion are sufficient, refuse to adjourn such meeting.

(*3*) No business other than the election of the president or the vice-president shall be transacted at such meeting.

(*4*) If in the election of the president or the vice-president there is an equality of votes, the result of the election shall be decided by lot to be drawn in the presence of the Collector or the officer presiding in such manner as he may determine. "

Amendment of section 50 of Bom. VI of 1923.

5. In section 50 of the said Act, after clause (*mm*) the following clause shall be inserted, namely :—

" (*mm-i*) promoting the well being of employees of the local board or any class of such employees and of their dependents ; "

STATEMENT OF OBJECTS AND REASONS.

The procedure prescribed under section 27 of the Bombay Local Boards Act, 1923 for the election of a President, after a new board has been elected, is found to be cumbrous and unsuitable. It is, therefore, proposed to amend the Act with a view to simplify the procedure.

2. At present District Local Boards, unlike the District and Borough Municipalities, are not authorised to incur any expenditure on the welfare of their staff and of their dependents. It is, therefore, proposed to give District Local Boards similar discretionary powers to incur such expenditure under section 50 of the Act.

G. D. VARTAK.

Dated the 22nd July 1950.

Government of Bombay

LEGAL DEPARTMENT

[L. A. BILL No. XXXII OF 1950.]

(As read for the third time and passed by the Legislative Assembly on the 26th September 1950.)

A Bill to amend the Bombay Local Boards Act, 1923.

[Shri G. D. VARTAK, M.L.A.]

MO-IV Bk Hb 247—2

BOMBAY : PRINTED AT THE GOVERNMENT CENTRAL PRESS.

L. A. BILL No. XXXII OF 1950.

A Bill to amend the Bombay Local Boards Act, 1923.

(As read for the third time and passed by the Legislative Assembly on the 26th September 1950.)

(As read for the third time and passed by the Legislative Council on the 10th October 1950.)

Bom. VI of 1923.

WHEREAS it is expedient to amend the Bombay Local Boards Act, 1923, for the purposes hereinafter appearing; It is hereby enacted as follows :—

1. This Act may be called the Bombay Local Boards (Amendment) Act, 1950. Short title.

Bom. VI of 1923.

2. In section 26 of the Bombay Local Boards Act, 1923, hereinafter referred to as the said Act, for sub-section (*3*) the following shall be substituted, namely :— Amendment of section 26 of Bom. VI of 1923.

"(*3*) The provisions of section 27A shall be applicable so far as may be to the calling of a meeting and the procedure to be followed at such meeting for the election of a president under sub-section (*2*)."

3. In section 27 of the said Act, the two provisos shall be deleted. Amendment of section 27 of Bom. VI of 1923.

4. After section 27 of the said Act, the following section shall be inserted, namely :— Insertion of new section 27A in Bom. VI of 1923.

"27A. (*1*) When a new local board is constituted after a general election or otherwise, the Collector shall call a meeting for the election of a new president and vice-president. Such meeting shall be called within twenty-five days from Procedure for election of president and vice-president.

the date on which the names of the members of the new local board are published in the *Official Gazette* under section 21, but shall not be held on a date prior to the date on which the term of office of the retiring members prescribed or extended, as the case may be, under section 28 expires, or prior to the expiry of the period for which the local board has been superseded under section 129 or prior to the date specified for the dissolution of the local board under sub-section (*1*) of section 131A.

(*2*) The meeting called under sub-section (*1*) shall be presided over by the Collector or such officer as the Collector may by order in writing appoint in this behalf. The Collector or such officer shall, when presiding over such meeting, have the same powers as the president of a local board when presiding over a meeting of the local board has, but shall not have the right to vote :

Provided that notwithstanding anything contained in section 35, the Collector or the officer presiding over such meeting may for reasons which in his opinion are sufficient, refuse to adjourn such meeting.

(*3*) No business other than the election of the president or the vice-president shall be transacted at such meeting.

(*4*) If in the election of the president or the vice-president there is an equality of votes, the result of the election shall be decided by lot to be drawn in the presence of the Collector or the officer presiding in such manner as he may determine. "

Amendment of section 50 of Bom. VI of 1923.

5. In section 50 of the said Act, after clause (*mm*) the following clause shall be inserted, namely :—

" (*mm-i*) promoting the well being of employees of the local board or any class of such employees and of their dependents ; "

L. A. BILL No. XXXII OF 1950.

A Bill to amend the Bombay Local Boards Act, 1923.

(As read for the third time and passed by the Legislative Assembly on the 26th September 1950.)

(As read for the third time and passed by the Legislative Council on the 10th October 1950.)

Bom. VI of 1923.

WHEREAS it is expedient to amend the Bombay Local Boards Act, 1923, for the purposes hereinafter appearing; It is hereby enacted as follows :—

Short title.

1. This Act may be called the Bombay Local Boards (Amendment) Act, 1950.

Amendment of section 26 of Bom. VI of 1923.

Bom. VI of 1923.

2. In section 26 of the Bombay Local Boards Act, 1923, hereinafter referred to as the said Act, for sub-section (*3*) the following shall be substituted, namely :—

"(*3*) The provisions of section 27A shall be applicable so far as may be to the calling of a meeting and the procedure to be followed at such meeting for the election of a president under sub-section (*2*)."

Amendment of section 27 of Bom. VI of 1923.

3. In section 27 of the said Act, the two provisos shall be deleted.

Insertion of new section 27A in Bom. VI of 1923.

4. After section 27 of the said Act, the following section shall be inserted, namely :—

Procedure for election of president and vice-president.

"27A. (*1*) When a new local board is constituted after a general election or otherwise, the Collector shall call a meeting for the election of a new president and vice-president. Such meeting shall be called within twenty-five days from

Registered No. B-1

The
Bombay Government Gazette
PUBLISHED BY AUTHORITY
FRIDAY, 3RD NOVEMBER 1950.
Separate paging is given to this Part in order that it may be filed as a separate compilation.

PART IV

Acts of the Bombay Legislature and Ordinances promulgated and Regulations made by the Governor.

CONTENTS

	PAGES.
BOMBAY ACT No. XXXII OF 1950—An Act to amend the Bombay Local Boards Act, 1923	485-486

The following Act of the Bombay Legislature having been assented to by the Governor on the 27th October 1950 is hereby published for general information.

J. R. DHURANDHAR,
Additional Secretary to the Government of Bombay,
Legal Department.

BOMBAY ACT No. XXXII OF 1950.

(First published, after having received the assent of the Governor, in the "Bombay Government Gazette" on the 3rd November 1950.)

An Act to amend the Bombay Local Boards Act, 1923.

Bom. VI of 1923.

WHEREAS it is expedient to amend the Bombay Local Boards Act, 1923, for the purposes hereinafter appearing; It is hereby enacted as follows :—

Short title.

1. This Act may be called the Bombay Local Boards (Amendment) Act, 1950.

Bom. VI of 1923.

Amendment of section 26 of Bom. VI of 1923.

2. In section 26 of the Bombay Local Boards Act, 1923, hereinafter referred to as the said Act, for sub-section (*3*) the following shall be substituted, namely :—

"(*3*) The provisions of section 27A shall be applicable so far as may be to the calling of a meeting and the procedure to be followed at such meeting for the election of a president under sub-section (*2*)."

Amendment of section 27 of Bom. VI of 1923.

3. In section 27 of the said Act, the two provisos shall be deleted.

Insertion of new section 27A in Bom. VI of 1923.

4 After section 27 of the said Act, the following section shall be inserted, namely :—

for election of president and vice-president.

"27A. (*1*) When a new local board is constituted after a general election or otherwise, the Collector shall call a meeting for the election of a new president and vice-president. Such meeting shall be called within twenty-five days from the date on which the names of the members of the new local board are published in the *Official Gazette* under section 21, but shall not be held on a date prior to the date on which the term of office of the retiring members prescribed or extended, as the case may be, under section 28 expires, or prior to the expiry of the period for which the local board has been superseded under section 129 or prior to the date specified for the dissolution of the local board under sub-section (*1*) of section 131A.

(*2*) The meeting called under sub-section (*1*) shall be presided over by the Collector or such officer as the Collector may by order in writing appoint in this behalf. The Collector or such officer shall, when presiding over such meeting, have the same powers as the president of a local board when presiding over a meeting of the local board has, but shall not have the right to vote :

Provided that notwithstanding anything contained in section 35, the Collector or the officer presiding over such meeting may for reasons which in his opinion are sufficient, refuse to adjourn such meeting.

(*3*) No business other than the election of the president or the vice-president shall be transacted at such meeting.

(*4*) If in the election of the president or the vice-president there is an equality of votes, the result of the election shall be decided by lot to be drawn in the presence of the Collector or the officer presiding in such manner as he may determine."

Amendment of section 50 of Bom. VI of 1923.

5. In section 50 of the said Act, after clause (*mm*) the following clause shall be inserted, namely :—

"(*mm-i*) promoting the well being of employees of the local board or any class of such employees and of their dependents ;"

BOMBAY : PRINTED AT THE GOVERNMENT CENTRAL PRESS.